1 Tom Dutton, Esquire PITTMAN, DUTTON, KIRBY & HELLUMS, P.C. 2 2001 Park Place North, Suite 1100 Birmingham, AL 35203 3 Telephone: (205) 322-8880 Facsimile: (205) 328-2711 4 5 Attorney for Plaintiff 6 7 8 9 10 11 UNITED STATES DISTRICT COURT 12 NORTHERN DISTRICT OF CALIFORNIA 13 14 15 Docket No.: 3:06-CV-07393 16 IN RE: BEXTRA AND CELEBREX MARKETING SALES PRACTICES AND MDL NO. 1699 17 PRODUCT LIABILITY LITIGATION District Judge: Charles R. Breyer 18 19 Myrtle Vandiver, STIPULATION AND ORDER OF 20 DISMISSAL WITH PREJUDICE Plaintiff, 21 VS. 22 Pfizer, Inc., et al. Defendants. 23 24 25 Come now the Plaintiff, MYRTLE VANDIVER, and Defendants, by and through the 26 undersigned attorneys, pursuant to Federal Rule of Civil Procedure, Rule 41(a), and hereby 27 stipulate to the dismissal of this action with prejudice with each side bearing its own attorneys' 28 fees and costs. -1-

STIPULATION AND ORDER OF DISMISSAL WITH PREJUDICE

Case 3:06-cv-07393-CRB Document 5 Filed 09/30/09 Page 1 of 2

	Case 3:06-cv-0/393-CRB Document 5 Filed 09/30/09 Page 2 of 2
1	DATED: 5/7, 2009 By:
2	Tom Dutton
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3	Birmingham, AL 35203
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5	Attorney for Plaintiff
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7	DATED: Sept. 28, 2009 By:
8	DLA PIPER LLP (US)
9	1251 Avenue of the Americas
10	New York, NY 10020 Telephone: (212) 335-4500
11	Facsimile: (212) 335-4501 Defendants' Liaison Counsel
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13	
14	
15	PURSUANT TO THE TERMS SET FORTH IN THE PARTIES' STIPULATION, IT IS SO ORDERED.
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16	ATES DIOTRICA
	Dated: 9/30/09
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16 17 18 19 20 21 22 23 24 25 26	Dated: 9/30/09 How Charles P. Judge Charles R. Breyer Judge Charles R. Breyer